

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT
FEB 12 2010
SANDY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
GEORGE VELEZ,

Petitioner,

-against-

JAMES J. WALSH,

Respondent.

-----X

A Memorandum and Order of Honorable Sandra L. Townes, United States District Judge, having been filed on February 9, 2010, dismissing the petition for a writ of *habeas corpus* as time-barred; ordering that a Certificate of Appealability shall not issue; and certifying pursuant to 28 U.S.C. § 1915(a) that any appeal from a judgment denying the petition would not be taken in good faith; it is

ORDERED and ADJUDGED that petitioner take nothing of the respondent; that the petition for a writ of *habeas corpus* is dismissed as time-barred; that a Certificate of Appealability shall not issue; and that pursuant to 28 U.S.C. § 1915(a) any appeal from a judgment denying the petition would not be taken in good faith.

Dated: Brooklyn, New York
February 11, 2010

ROBERT C. HEINEMANN
Clerk of Court

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